



Date: March 14, 2008

To: Mayor Yvonne Johnson

From: City Manager Mitchell Johnson

Subject: Report to City Council – Action Plan

On Thursday, February 14, City Council adopted a motion to direct the City Manager to address the following goals and objectives:

- That he address the current issues in the various departments, including the Fire Department, Communications Department and the Parks and Recreation Department;
- That he commence with the reorganization of the Manager's Office;
- That he give clear, consistent, frequent communications with Council;
- That he further develop some delegation skills;
- (That he address) any other goals and objectives communicated by the majority of Council to him; and
- That an action plan come back to us (City Council) within 30 days from today.

The following attached document is my Action Plan and response to the issues sited above. As February had 29 days the 30 day deadline would be Saturday, March 15<sup>th</sup>, therefore I wanted you to have this document no later than Friday, March 14<sup>th</sup>.

**Action Plan**  
**As Submitted to Greensboro City Council**  
**March 14, 2008**

Overview: In the development of this action plan, I have begun the critical work as detailed by Council immediately after Council's action. In fact, in several areas, I had already begun the work due to the criticality of the issues. I will report out on each issue in the order as listed by City Council.

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**That he address the current issues in the various departments, including the Fire Department, Communications Department and the Parks and Recreation Department.**

**Fire Department:**

On or about July of 2007, the CMO [REDACTED] actions of [REDACTED] regarding the use of Fire Personnel as contractors for his personal residence (landscaping) and direction given to the individual officer that would be inappropriate. At that time, the Fire Department reported to Assistant City Manager Ben Brown. Mr. Brown made me aware of the concern immediately and provided his recommendation for following up on the issue. I approved his request.

Over the next few months, representatives from City Legal and Human Resources interviewed the individuals involved and presented their findings to Ben in October of 2007. He felt that their interviews were not as specific to the alleged actions as he would desire, and [REDACTED]

[REDACTED] He gave me his report and requested the use of Police Internal Affairs for a more specific and focused review. I approved the request and the IA provided a report to Ben on November 29<sup>th</sup> 2007.

The IA effort was very narrowly focused and the resulting report indicated that there was not a policy or legal violation in the [REDACTED] actions with regard to the complaint.

However, in Ben's memo to me of January 14, 2008, he recommended that due to the [REDACTED] he believed that there needed to be a complete review of the Fire Department Policies and regulations pertaining to outside employment, privately owned/operated businesses by Fire Department personnel and the conduct of business transactions with senior or supervisory Fire Department Personnel or other city personnel. He further stated, [REDACTED]

[REDACTED]  
[REDACTED] Unfortunately, Ben was not able to implement any of his recommendations due to his transition to Guilford County.

On January 28<sup>th</sup> 2008, Chief Teeters announced his decision to retire effective the end of November. In the following weeks, our office, as well as City Council, began to receive feedback and concerns regarding the Fire Chief and top administration. Part of the concern was the excessive timeline between the July complaint and the final resolution in January, combined with a lack of response to the issues as brought forward during Legal and Human Resources investigation. [REDACTED]  
[REDACTED]

As a result of all of the above, I decided that we would need to take additional actions. Per Council's interest and direction, I have taken the following actions:

- The Fire Department was assigned to Bob Morgan with the departure of Ben Brown.
- I asked Bob to immediately begin a process by which all command personnel would be interviewed on a one-on-one basis so that he could determine what the leadership of the department felt about the following:
  - o The Chief's ability to lead,
  - o The impact on the department of the Chief's re-organization plans,
  - o The ability of the leadership team to function together effectively,
  - o The rumors/concerns about the Chief, i.e. fact or fiction, real or trumped up.
- Based on the outcome of the interviews, develop a Request for Proposal/Qualifications for an outside consultant to evaluate the department and its leadership and make recommendations to address the real issues that exist following best practice examples in Fire Service Management.
- If any issues come forward which require investigation, then we would use our internal capacity to fully investigate them using our Security Manager, Mike Speedling (who has extensive Federal and State level experience as an investigator).

Action to date:

- Bob completed his interviews and provided his draft report to me on March 10, 2008.
- He is developing the RFQ and has developed a list of potential firms for use, and he intends to get the RFQ to them during the week of March 17<sup>th</sup> with responses due in approximately two weeks.

- He determined that issues with the reorganization could not wait for the outside review and directed the Chief to revisit this issue. The first meeting to review the plan was held on March 13th and was facilitated.

[REDACTED]

- Bob and I will meet with the [REDACTED] during the week of March 17<sup>th</sup> to review his final report and to get the [REDACTED] to the issues at that time.
- At no time in this process did anyone express concerns about the department's ability to provide services. The issue is leadership and trust and if not addressed, we can expect a reduction in the department's function. This will not occur.

#### Conclusion:

I believe Bob has quickly and effectively administered a process which, on reflection should have been our response to the initial complaint. However, at the time, we did not understand the degree to which the leadership issues had eroded the ability of the leadership team in the Fire Department to function effectively.

I believe that both the leadership team and the Chief are clear about the City Manager's Office goals and objectives in this process and seem to be willing and appreciative of the work Bob is doing to help them return to their high standard of performance. While I know that there are many, [REDACTED]

#### Parks and Recreation:

Council has listed Parks and Recreation as one of the departments with problems primarily due to the EEOC complaints, which have been filed against the City. In response to eight (8) claims filed by Parks and Recreation Employees with the Equal Employment Opportunity Commission (EEOC), the parties agreed to participate in a confidential mediation. The mediation was held on March 11, 2008. Regrettably, the parties were not able to resolve the matter. The EEOC will continue its investigation.

The EEOC investigatory and conciliation processes are confidential. Consequently, I am not permitted to discuss these matters in greater detail outside of a closed session of the City Council.

I can, however, share with you some of our developmental and policy efforts that are underway or completed. I believe these efforts will act to help us avoid similar complaints in the future.

- We have initiated our first City-wide Succession Planning Process, which focuses on providing broad access to developmental activities that will prepare employees to compete for higher level positions as they become available, and improve the City's pools of qualified talent.
- Our selection policy was changed some time ago to require departments to advertise any open positions beyond their department and to all city employees at a minimum. This changed a previous practice of allowing intra-departmental advertising only.
- We have revised our grievance process to include an internal mediation process which should bring more objective perspectives to grievance resolution.
- We have provided, or are in the process of providing, several developmental opportunities to Parks and Recreation personnel:
  - Management Team volunteered for awareness training through the "Undoing Racism" program.
  - Divisions are undergoing development which includes customer service (internal and external), conflict resolution, and cultural competence (diversity).  
One division has already completed the process. This development has been positively embraced by the employees. The process will continue to move through the entire department in order to create the foundation of understanding for relationships and the manner in which we want to conduct business and communicate effectively.
  - The next recommendation is an OD intervention with the P and R Leadership Team (this work is currently going on w/GPD). This is to assure a strong foundation of Leadership in moving forward, to create healing and build trust overall. This would serve as a catalyst to truly understand application of policy, practice and procedures that impact the whole department and to produce positive opportunities. This is a long-term process that would gradually include other levels. I have already begun conversations about this process.
  - The above recommendations are in addition to the Foundations of Supervision program currently in progress and the forthcoming Leadership Track for managers and above.

I believe the actions listed above are the appropriate steps to take in this matter.

### **Communications:**

My reorganization plan, as submitted to Council in the IFYI of February 18th 2008, provides my general response regarding the issues with communications. I have attached the memo to this document in the section regarding the reorganization.

In the meantime, while I await the opportunity to fill this important role, I have made myself available when necessary, but I am not responding to initial media inquiries but instead briefing Pat and asking her to handle them.

In addition, on March 12, 2008, we had a meeting of department heads and other key personnel (a total of approximately 60) with David Lawrence for a briefing on public records access and personnel records law. I believe this was helpful. My goal is to re-tool the organization with an expectation that we will do our best to make documents, etc. available as requested, unless expressly prohibited. I do not ever expect our ability to respond to be equal to what the media desires and certainly not what bloggers' and tabloid media often desire, but we can improve and I intend to push this issue hard.

My hire for my Assistant City Manager for Communications will be a critical element in my/our ability to have more effective communications for City Council and throughout the organization.

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### **That he commence with the reorganization of the Manager's Office;**

(February 18<sup>th</sup>, 2008)

When Ed Kitchen retired, the City Manager's Office consisted of the Deputy City Manager and two Assistant City Managers. However, when I was named City Manager, I made the decision to delay filling the Deputy role for a while to let the organization settle in with the change in the City Manager. However, due to very significant budget pressures, I made the decision to keep the position vacant over the last two years. This resulted in my maintaining all of the direct reports I had as Deputy City Manager in addition to those I picked up as City Manager. Obviously, this is not ideal. With the recent change due to Ben Brown's decision to move to the County, I realigned the departments temporarily to provide more time for me to focus on the key issues before me. This realignment places a large majority of the direct reports with Assistant City Manager Bob Morgan. This is not a sustainable situation.

In addition to the positions described above, I have added to the CMO a new position dedicated to facilitating the land development issues throughout the City of Greensboro. I have described this position in detail before. The net result is I presently have four positions that are responsible for managing the City of Greensboro reporting directly to me as follows, of which three are vacant:

- Deputy City Manager (vacant)
- Assistant City Manager who also handled Planning Issues – Bob Morgan
- Assistant City Manager who also handled Economic Dev. (vacant)
- Special Assistant to the City Manager for Land Development (vacant)

In my opinion (and I believe the opinion of most Council members), I would describe the most significant issues before me as Economic Development and Communications; as well as having staff necessary for the City Manager to delegate appropriate aspects of the day to day management of a 3,000 employee enterprise with gross revenues in excess of \$450,000,000 per year. Given Council's recent direction to reorganize the CMO, I am moving forward with the following restructuring of these positions. This reorganization

uses the presently existing, fully funded, positions (with the exception of changing an "Assistant to the City Manager", a Department Head level position, to the higher ranking "Assistant City Manager"). The new organization would be as follows:

- Deputy City Manager
- Assistant City Manager
- Assistant City Manager with full time focus on Economic Development
- Assistant City Manager with full time focus on Communications

The Deputy and Assistant would be general managers and would share the majority of the twenty one departments and four divisions reporting to the CMO. I would keep a small number of direct reports as appropriate. But this would allow the City Manager time for more external involvement and more time to work with Council on your primary objectives. The Assistant City Manager for Economic Development would combine the Economic Development role that Ben fulfilled with the special assistant for land development previously proposed and would thus focus full time on our economic development efforts. The last position would be an Assistant City Manager for Communications. This role is an important change to the CMO in that this would provide leadership on communications issues throughout the organization and would provide support for Council with regard to communications issues. In the past, Mayor Holliday and now Mayor Johnson have both recommended additional support for Council due to the extremely intense communications needs of the Mayor, as well as other Council members. In addition, this position would be the lead with regard to the CMO communications issues and would be fully informed due to their close relationship with the Manager and others in the CMO, so that they can directly handle the communication requests from the media involving the CMO. Day to day communications requests would still be handled by the Public Affairs Department, which would report to this position as would the special events coordinator.

Due to the nature of hiring for these very important and specialized positions, I do not expect to get the positions filled in less than 90 days. I intend to use a local and national process to get the very best team. However, I believe it would be a good idea to get some help on these issues ASAP. To that end, I will be asking the City Department Heads if any one would be interested in taking a temporary assignment to the CMO to help with these various issues. My intention is to provide our in-house talent an opportunity to work for a couple of months in a very different role than their normal one and to provide some relief to our office as well. This is a good model for succession planning. I will keep Council updated as this plan moves forward. I have attached a graphic of the organizational chart.

Update (effective March 12, 2008):

I have promoted Bob Morgan to Deputy City Manager and have promoted Jim Westmoreland to Acting Assistant City Manager of Economic Development Services. These actions could not have happened soon enough. Bob has done an outstanding job dealing with the Fire Department Issues and has truly "stepped up" to the role of Deputy. Jim Westmoreland is a professional whose performance as GDOT Director is respected both locally and throughout NC. I believe he will bring a new energy to this role and is fully embracing the action plan I gave him for his tenure, i.e.:

Jim will be asked to work on the following key strategic initiatives to help support City Council, my office, and our organization. One, to review the state of economic development in Greensboro and develop a summary report in 60 days which details the opportunities and provides specific recommendations for City Council to consider regarding needed tools and/or public-private partnership possibilities. Two, to review the state of the City's economic development services and develop a summary report in 90 days which clearly outlines key issues affecting service delivery and offers recommendations and strategies to help improve them. And finally, to provide key organizational and strategic support to my office to help advance the important work of the City Council and our Organization.

I will continue to look for assistance in Communications and am considering the possibility of hiring outside support for this. I will update Council on any decisions.

Overall, I feel very good about the reorganization and what it will mean to my ability to support Council and the organization. We are very definitely moving in the right direction, and I have received very strong support from our Department Heads on the game plan.

**That he give clear, consistent, frequent communications with Council;**

Starting with my report to Council during the Council meeting of February 19<sup>th</sup>, 2008 on the work to date on the hiring freeze and the Council direction to reduce our FT employee count by 49 positions and continuing with my frequent phone calls and IFYIs, I am doing my best to keep Council informed.

My biggest impediment to quickly and completely keeping City Council informed is lack of time and the constant need to respond to issues combined with a lack of staffing. As I am able to implement my reorganization and hire the right top staff, I will constantly focus on this issue. I would appreciate your feedback on how this is going and what I can do to enhance my communications with you.



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**That he further develop some delegation skills:**

As I have discussed above, I have made clear efforts and decisions resulting with delegation of key issues. However, until I have staff in place, there is a limit to how much I can delegate. I believe that the key to this issue is to ensure that I have the right professionals in place and that I give them the responsibility they need to effectively manage the day-to-day functions of the City of Greensboro so that I may spend more time addressing external issues and directly supporting Council. With the recent changes, I am certainly on my way. I must also say that, by and large, we have an exceptional group of Department Heads which are fully capable of managing their responsibilities.

However, I would certainly appreciate more feed back from City Council on this issue.

**(That he address) any other goals and objectives communicated by the majority of Council to him;**

It is always my intention to address those goals and objectives communicated by a majority of Council. I believe that I have done this. As a partial example, I would list;

- my work to move the Randleman water supply issues forward (with the support of Councilwoman Wade),
- my work to get the Police study underway,
- my work with Council to resolve the process for mediation of the various issues coming out of the Wray administration,
- the quick responses provided to Council on issues as provided in the IFYIs,
- the efforts to improve the impact of the Human Relations Commission on community issues such as Gangs, the Truth and Reconciliation Process and involvement in our Public Schools,
- my efforts to enhance our downtown through the development of the Cultural District Strategic Plan,
- my efforts to move quickly to replace our City Attorney.

In short, I believe that the staff and I have responded effectively and positively to Council concerns on a one to one basis and certainly if expressed by a majority of Council.

**Conclusion:**

During the last few weeks, I have been re-examining my first two and half years as City Manager. Due to issues we are all well aware of, I cannot consider this time as "normal" in any real way. During my 25 years with the City of Greensboro, I cannot remember a time which was as difficult for City Council or for the City Manager. It is time to move forward with the issues of the day – economic development, support for the Police Department and dealing with the very difficult job of balancing the needs of the community with the community's ability to pay. Having a management team in place to

support the organization and Council as we move forward will be critical to our success. To assist with my ability to be the best manager I can be, I will be implementing a full 360 assessment of my self. This will include feedback from Council, staff and members of the community. After I receive the resulting feedback, I will communicate it to Council and develop a personal work plan to address any deficiencies. As we create our leadership team in the CMO, I intend to use this tool with each of us to ensure that we have the greatest potential for success.

I look forward to your feedback on this report during a closed session at our next Council Meeting Tuesday evening.